

### **REMARKS**

Through this paper, claims 6, 8, 10-12, and 14 are canceled without prejudice. Also, claims 1, 4, 5, 9, 15, 17, 60, 62, and 63 have been amended. After the entry of this paper, claims 1, 4, 5, 7, 9, 15, 17, and 60-63 are pending and presented for reconsideration. In view of the foregoing, please allow the claims in due course.

Support for the amendments to claim 1 can be found throughout the Specification at, for example, page 12, lines 3-11, and FIG. 4. Various changes to claims 4, 5, 9, 15, 17, 60, 62, and 63 are either necessitated by the changes to independent claim 1 or simply changes to correct minor typographical issue.

No new matter is added by these amendments. Applicant respectfully requests the entry and consideration of the claim amendments and remarks.

#### **Rejections Under 35 U.S.C. § 103**

Claims 1, 4-12, 17, and 63 are rejected under 35 U.S.C. 103(a) over U.S. Patent No. 5,601,526 to Chapelon *et al.* ("Chapelon"), Coleman *et al.*, "Ultrasound in Med. & Biol.," (1992) Vol. 18, No. 3, p. 267-81 ("Coleman"), and U.S. Patent No. 5,659,173 to Putterman *et al.* ("Putterman"). Claim 14 is rejected under 35 U.S.C. § 103(a) over Chapelon, Coleman, and Putterman, and U.S. Patent No. 5,000,185 to Yock ("Yock"). Claims 15 and 60-62 are rejected under 35 U.S.C. § 103(a) over Chapelon, Coleman, Putterman, and U.S. Patent No. 4,893,614 to Takayama *et al.* ("Takayama").

Claim 1 is the only independent claim at issue, and it is hereby amended. Claim 1 now recites a method that includes the steps of placing, inside the body, at least a distal portion of a device that is capable of emitting sonoluminescent light, and emitting sonoluminescent light from the device and inside the body for a medical purpose.

Each of Chapelon, Coleman, and Putterman fails to teach or suggest at least emitting sonoluminescent light from a device and inside a body for a medical purpose. Chapelon does not mention sonoluminescence at all. Coleman describes detecting sonoluminescence in studies of cavitation caused by an extracorporeal shock wave lithotripter. Coleman describes experiments conducted in a laboratory setting with a shock wave generator immersed in a water tank. Putterman also describes studies of sonoluminescence in a laboratory setting. (Unlike the

assertion in the Office action, Applicant submits that Putterman does not describe that the production of sonoluminescence is inherent in cavitations. Instead, Putterman repeatedly characterizes the “extraordinary degree of energy focusing” needed for sonoluminescence as requiring “a still further increase in intensity” “over twelve orders of magnitude” compared to cavitational pulsation (col. 2, lns. 36-47; and col. 4, ln. 62 to col. 5, ln. 18)). The fact that each of these three cited references fails to teach or suggest at least emitting sonoluminescent light from a device and inside a body for a medical purpose, as recited in amended claim 1, means that no combination of them could possibly have resulted in the method recited in amended claim 1.

Neither Yock nor Takayama cures the above deficiencies in the other three references with regard to amended claim 1, and thus no combination of any of these five references could possibly have resulted in the method recited in amended claim 1.

#### **INFORMATION DISCLOSURE STATEMENT (IDS)**

Applicant notes again that initialed copies of PTO-1449 forms for IDSs and Supplemental IDSs submitted by Applicant on **September 2, 1997, October 31, 1997, and June 3, 1998**, together listing references AA-AAZ, BA-BT, and CA-CM, have not been returned and therefore respectfully requests such action by the Examiner. Copies of these 1449 forms are submitted along with this paper under Exhibit A for the Examiner’s convenience.

#### **CONCLUSION**

In view of the foregoing, Applicant submits that the claims remaining after entry of this response are patentable. Please enter this response, reconsider all the rejections and allow claims 1, 4, 5, 7, 9, 15, 17, and 60-63 as soon as possible.

If the Examiner believes that a telephone conversation with Applicant’s attorney would expedite allowance of this application, the Examiner is cordially invited to call the undersigned

attorney at (617) 248-7808.

Respectfully submitted,



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